



DEPARTMENT OF THE ARMY
SAVANNAH DISTRICT, CORPS OF ENGINEERS
100 W. OLGETHORPE AVENUE
SAVANNAH, GEORGIA 31402-0889

MAY 20 2009

Regulatory Division
200900045

JOINT PUBLIC NOTICE
Savannah District/State of Georgia

The Savannah District has received an application for a Department of the Army Permit, pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344), as follows:

Application Number: 200900045

Applicant: Georgia Transmission Corporation
Attention: Ms. Dana Heil
2100 E Exchange Place
Tucker, Georgia 30084

Agent: Linear Projects, Inc.
Attention: Clayton M. Doherty
608 Herb River Drive
Savannah, Georgia 31406-3217

Location of Proposed Work: The project site is located at latitude 31° 52' 26.3" north, and longitude 81° 16' 03.4" west, along the Burnt Church-Keller 115 kV Georgia Transmission overhead utility line, near Richmond Hill, in Bryan County, Georgia.

Description of Work Subject to the Jurisdiction of the US Army Corps of Engineers: To install a 14 ft wide, at-grade rocked access road that would be approximately 380 ft in length. The total project impact would be approximately 0.12 acre (5,320 sq ft). The proposed installation would involve removing stumps and wetland soils within that portion of the project wetland, to a depth of approximately 2 ft. A geotextile underliner would then be installed (should conditions require) and the area would be brought back to grade using clean #2 and #3 surge stone (3"-8"). The dredged material would be de-watered, spread along upland portions of the right-of-way, and stabilized, maintaining a minimum thirty-foot buffer from edge of wetland. For mitigation, the applicant proposes the purchase of 1.0 credit from the Wilkinson-Oconee Wetland Mitigation Bank, a USACE-approved mitigation bank having a secondary service area that includes the proposed project area. Of note: The applicant has indicated that no banks in the primary service area have credits available.

For additional information on the proposed work, see the attached project description, alternatives analysis and drawings supplied by the applicant. The opinions, views, and/or conclusions expressed by the applicant in this project description do not necessarily reflect those of the US Army Corps of Engineers.

BACKGROUND

This Joint Public Notice announces a request for authorizations from both the US Army Corps of Engineers and the State of Georgia. The applicant's proposed work may also require local governmental approval.

STATE OF GEORGIA

Water Quality Certification: The Georgia Department of Natural Resources, Environmental Protection Division, intends to certify this project at the end of 30 days in accordance with the provisions of Section 401 of the Clean Water Act, which is required by an applicant for a Federal Permit to conduct an activity in, on, or adjacent to the waters of the State of Georgia. Copies of the application and supporting documents relative to a specific application will be available for review and copying at the office of the Georgia Department of Natural Resources, Environmental Protection Division, Water Protection Branch, 4220 International Parkway, Suite 101, Atlanta, Georgia 30354, during regular office hours. A copier machine is available for public use at a charge of 25 cents per page. Any person who desires to comment, object, or request a public hearing relative to State Water Quality Certification must do so within 30 days of the State's receipt of application in writing and state the reasons or basis of objections or request for a hearing. The application can also be seen in the Savannah District US Army Corps of Engineers, Regulatory Division, 100 West Oglethorpe Avenue, Savannah, Georgia.

State-owned Property and Resources: The applicant may also require assent from the State of Georgia which may be in the form of a license, easement, lease, permit, or other appropriate instrument.

Georgia Coastal Management Program: Prior to the Savannah District Engineer making a final permit decision on this application, the project must be certified by the Georgia Department of Natural Resources, Coastal Resources Division, to be consistent with applicable provisions of the State of Georgia Coastal Management Program (15 CFR 930). Anyone wishing to comment on Coastal Management Program certification of this project should submit comments in writing within 30 days of the date of this notice to the Federal Consistency Coordinator, Ecological Services Section, Coastal Resources Division, Georgia Department of Natural Resources, One Conservation Way, Brunswick, Georgia 31523-8600 (Telephone 912-264-7218).

US ARMY CORPS OF ENGINEERS

The Savannah District must consider the purpose and the impacts of the applicant's proposed work, prior to a decision on issuance of a Department of the Army Permit.

Cultural Resources Assessment: Pursuant to Section 106 of the National Preservation Division Act of 1966, as amended, we request the Georgia Historical Preservation Division or any other interested party review the latest published version of the National Register of Historic

Places to determine if the property has or does not have any registered properties or properties listed as eligible for inclusion located on the site or in the area affected by the proposed work. Presently unknown archaeological, scientific, prehistorical, or historical data may be located at the site and could be affected by the proposed work.

OF NOTE: By letter dated November 5, 2008, the Georgia Historical Preservation Division stated that they had reviewed the application provided by the Georgia Transmission Corporation, and concluded that "effects to archaeological and structural resources that are listed on or eligible for listing on the National Register of Historic Places have been considered. Therefore, no further steps are necessary for Section 106 compliance for these undertakings."

Endangered Species: The applicant conducted a threatened and endangered species survey in August 2008 to assess the likelihood of adverse impacts to threatened and endangered species as a result of the proposed project. According to the applicant, no habitat was found on the project site that would support any species listed as endangered or threatened by the US Department of the Interior, Fish and Wildlife Service, nor were any physical signs of threatened or endangered species observed on the site.

After review of the application and supporting information, the Savannah District has determined that the proposed project would not affect any Federally listed threatened or endangered species that are under the purview of US Department of the Interior, Fish and Wildlife Service (FWS). Pursuant to Section 7(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), we request concurrence with this effects determination. We also request from the US Department of the Interior, Fish and Wildlife Service and the US Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, or any other interested party, information on whether any species listed or proposed for listing may be present in the area.

Public Interest Review: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and in general, the needs and welfare of the people.

Consideration of Public Comments: The US Army Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Native American Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the US Army Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision,

comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Application of Section 404(b)(1) Guidelines: The proposed activity involves the discharge of dredged or fill material into the waters of the United States. The Savannah District's evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act.

Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application for a Department of the Army Permit. Requests for public hearings shall state, with particularity, the reasons for requesting a public hearing. The decision whether to hold a public hearing is at the discretion of the District Engineer, or his designated appointee, based on the need for additional substantial information necessary in evaluating the proposed project.

Comment Period: Anyone wishing to comment on this application for a Department of the Army Permit should submit comments in writing to the Commander, US Army Corps of Engineers, Savannah District, Attention: Regulatory Division, 100 West Olgethorpe Avenue, Savannah, Georgia 31402-0889, no later than 30 days from the date of this notice. Please refer to the applicant's name and the application number in your comments.

If you have any further questions concerning this matter, please contact Megan C. Singleton of the Savannah District Regulatory Division at (912) 652-5893.

Enclosures

1. Avoidance/Minimization Analysis)
2. Project Vicinity Map
3. Survey
4. Project Plan Drawings (3 sheets)

18. U.S.C. Section 1001 provides that: Whoever, in any matter within the jurisdiction of any department or agency of the United States, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations, or makes or uses false writing or document knowing same to contain any false, fictitious or fraudulent statement or entry, shall be fined no more than \$10,000 or imprisoned not more than 5 years or both.

PRIVACY ACT NOTICE

The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act and Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972. These laws require permits authorizing structures and work in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Information provided will be used in evaluating the application for a permit. Information in the application is made a matter of public record through issuance of a public notice. Disclosure of the information requested is voluntary, however, the data requested are necessary in order to communicate with the applicant and to evaluate the permit application. If necessary information is not provided, the permit application cannot be processed nor can a permit be issued.

SUPPORTING REMARKS:

I am using the form for an individual permit downloaded from the Savannah District regulatory website. I do not believe that this project involves an area under GA DNR Coastal Marshlands Protection Act jurisdiction, but I'm mailing a copy to Coastal Resources Division of GA DNR for their use in determining whether they will assert jurisdiction. Since this is an IP, it will require WQ certification, so a copy of the requested materials is also being sent to EPD.

I'm including information normally requested in PCNs to assist the Savannah District and other agencies in evaluating this application.

Sequencing.

Avoidance: Figure 3.0, "Preventability," shows the delineated wetland and NWI wetlands mapped on imagery. As shown on that figure, Structure 6 was located on a small upland area to avoid even minimal and allowable NWP 12 impacts. There is no access available within the right-of-way to get to structure 6 that does not cross wetland.

Minimization: The proposed at-grade access across the northerly portion of PF01-2 is the shortest distance across that wetland available. If the access were to come from the direction of Structure 7 instead, the shortest distance would be about 480 feet instead of the 380 feet as proposed. Georgia Transmission here proposes to construct an at-grade wetland crossing to further minimize impacts to floodplain and wetland hydrology and aquatic life movements. At 14 feet wide, Georgia Transmission believes this is the minimum width needed to ensure the safe movement of heavy equipment in less than ideal weather conditions

Mitigation: Georgia Transmission proposes to provide compensatory mitigation of one full (1.0) credit for its 0.9 credit requirement from an approved wetland mitigation bank serving HUC 03060204. We have checked with the three banks having HUC 03060204 as a primary service area, and they are either completely sold out (Pine South) or have no credits available at this time (Black Creek and Ogeechee River). Georgia Transmission therefore proposes to purchase its credit from Wilkinson-Oconee, an approved wetlands mitigation bank having HUC 03060204 as a secondary service area.

Hydrologic Code Mapping.

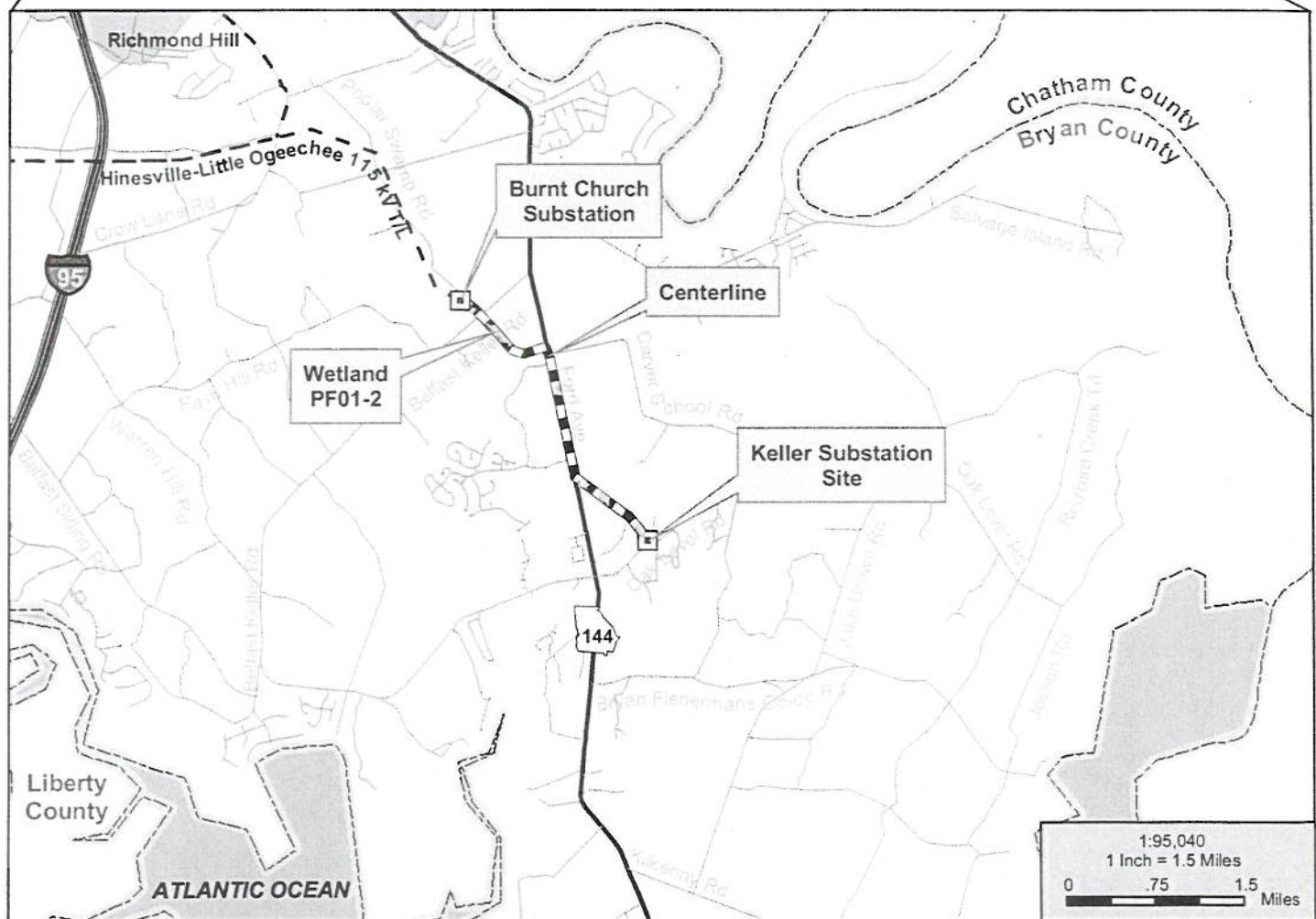
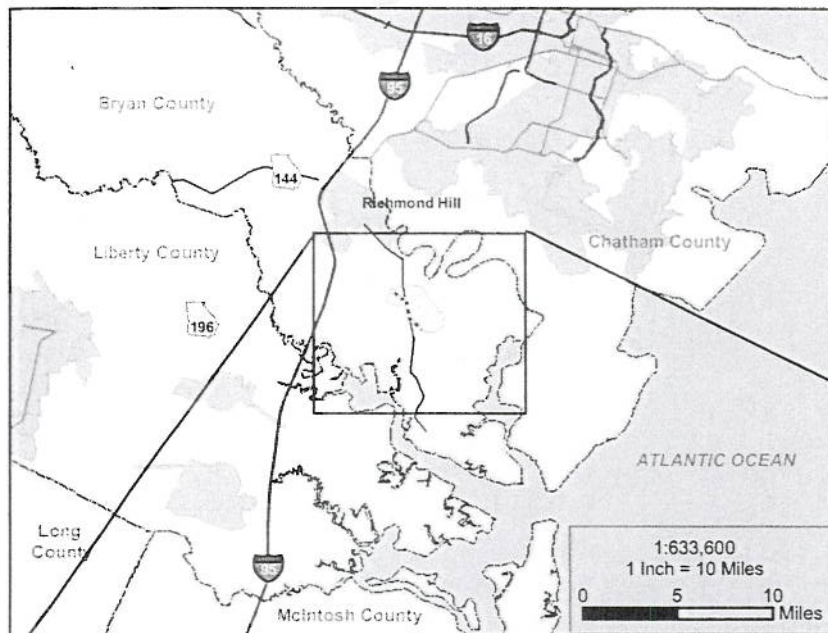
The eight-digit HUC location for the project is 03060204 (see Figures 4.0 and 4.1).

Water Quality Management Plan Statement.

1. All work performed during construction will be done in a manner so as not to violate applicable water quality standards.
2. No oils, grease, materials or other pollutants will be discharged from the construction activities into public waters.
3. A clearing plan containing soil erosion and sedimentation controls (attached) has been designed and will be implemented to prevent discharges of sediments into wetlands and other waters.

FLOODPLAIN MANAGEMENT STATEMENT (RC B.7)

The proposal is for a rocked at-grade access road in an area that is not located in a mapped 100-year floodplain area.. The proposal will have no effect on floodplain storage capacity or floodway flows.



Burnt Church - Keller

115 kV Transmission Line

From GTC take I-285 south to I-75. Take I-75 south to I-16. Follow I-16 east towards Savannah. Take I-95 south to exit #90 toward GA-144. Take left ramp towards Richmond Hill/GA-144. Turn left on Ford Avenue/GA-144. Turn left on Oak Level Road. The proposed Keller Substation Site will be on your left.

FIGURE 1.0
PROJECT LOCATION MAP



GeorgiaTransmission

Project No: P85066

Date: 12/03/08

Source: GDT

Plot: C. Gundry

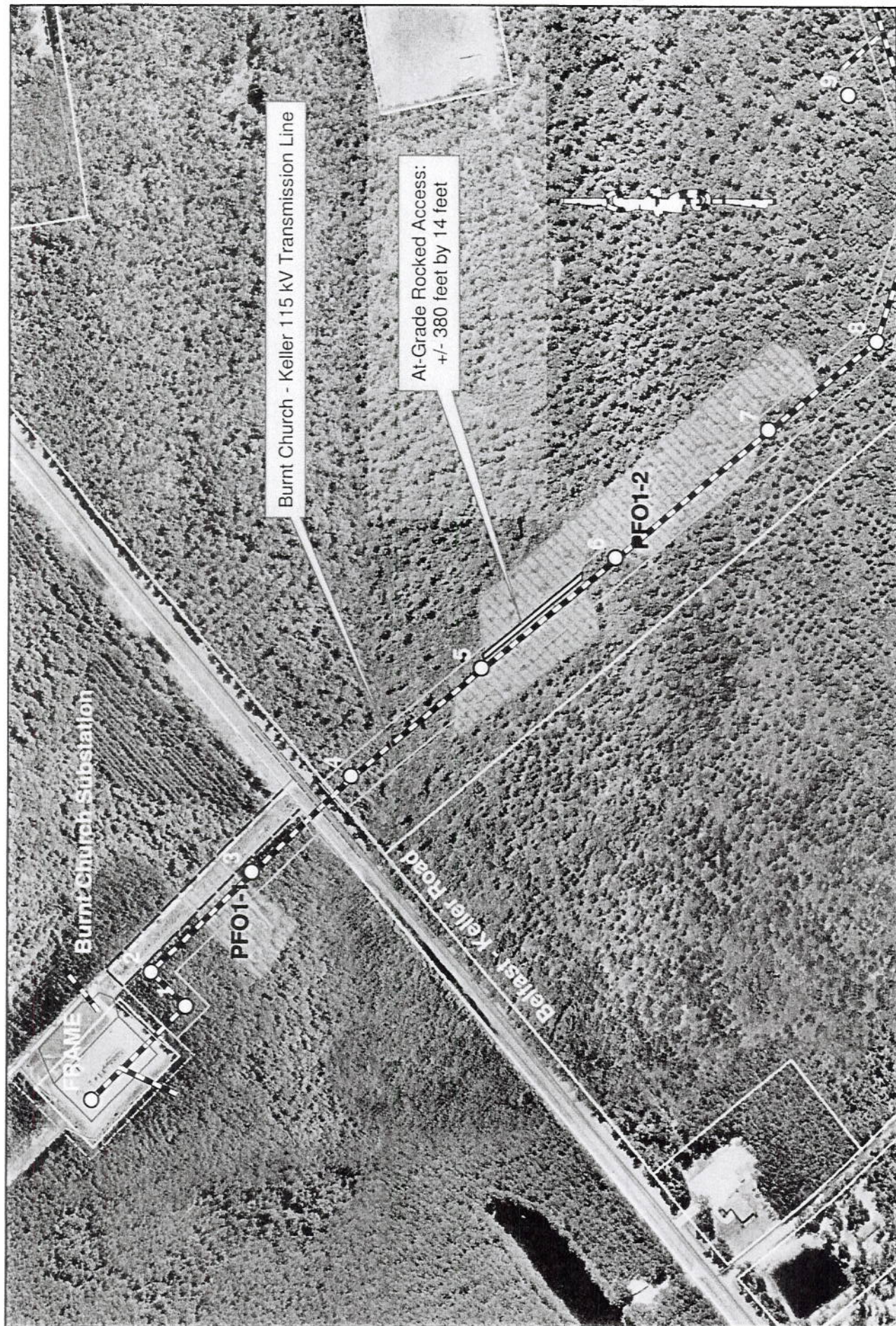


Figure 2.0
 Rocked Access Across
 Project Wetland PFO1-2

Burnt Church - Keller
 115 kV Transmission Line

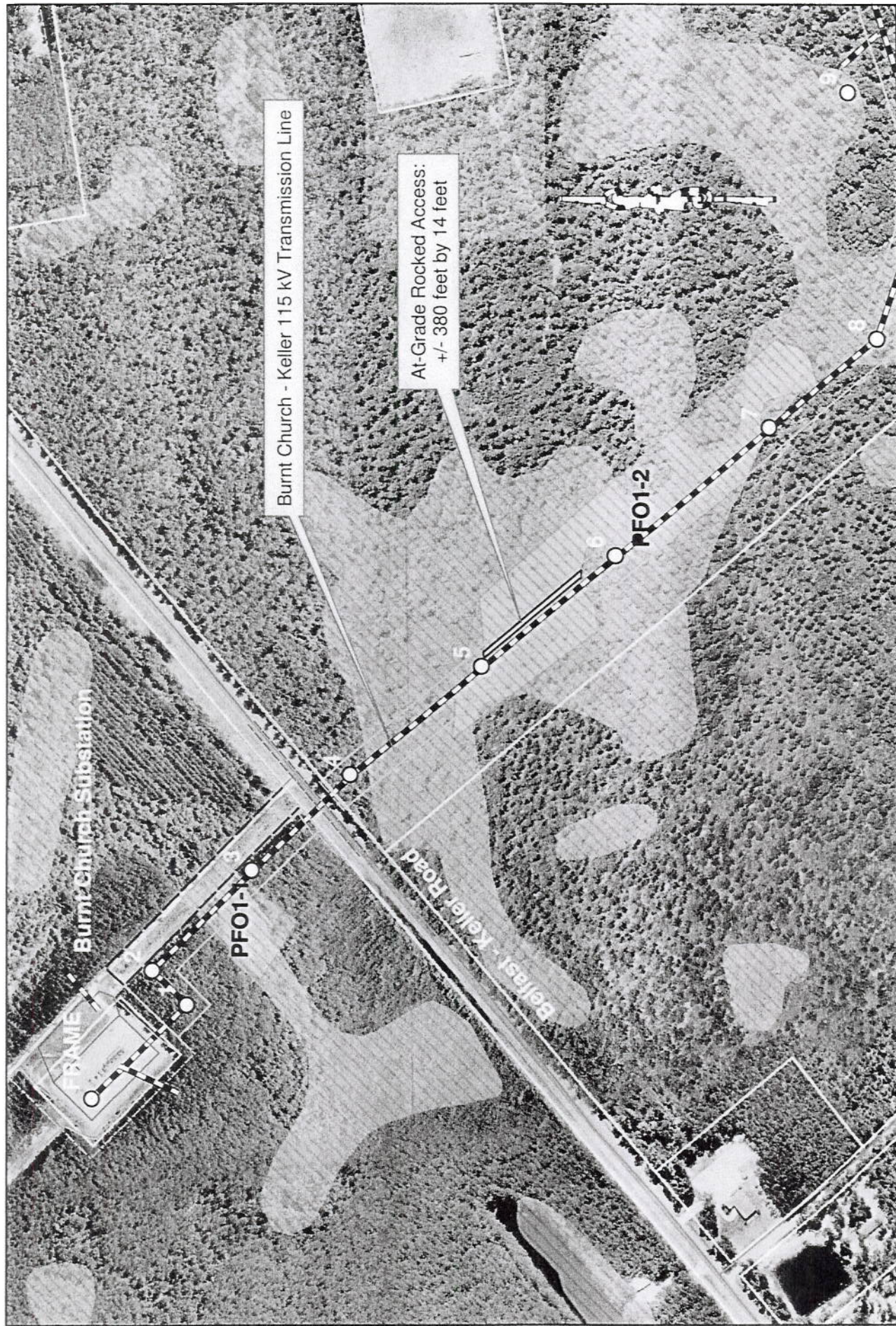


Figure 3.0
Preventability

Burnt Church - Keller
115 kV Transmission Line